THE CASE AND VINDICATION OF WILLIAM KNIGHT,

Late Minister of *Whitbey* in the County of *York*.

Wherein are discovered the Design, Means, and Instruments of his Sequestration, which happened on the 28 of December 1652. at the Committee for Plundred Ministers, Mr. Gilbert Millington *being in the* Chair.

LONDON,

Printed in the Year. 1653.

To the Supreme Authority the PARLIAMENT of the COMMON-WEALTH of ENGLAND.

Right Honourable,

IT may be wondred at, that a Person of my lowness and obscurity should adventure on so extraordinary a way of vindicating my self, and address my self to the judgement of an Authority so far above me. But if it be withall considered that I approach this Tribunal with the incouragement of my innocency, and that *right* to *justice*, which I have equal with any other, the wonder may cease; and it may be thought that they are not ordinary sufferings that have inforced me to this extraordinary appeal, and that the redress I expect cannot be elsewhere obtained. As for the expressions of this remonstrance I hope no man will think they proceed from rancour, or an itch to be satyrical with any mans person; but what is here said of any man is seriously and soberly spoken, and it may be, in such words as reach not their actions. The least oppression of any man though never so poor is of publick concernment, since what one suffers without redress, may be exercised in time on many: *Government* and *acting* by *will* and *prerogative* is that which we have spent our bloud to destroy, and which we all condemn when we suffer thereby. Men *corrupt* and acting *crookedly* in their places are the *diseases* and *deformity* of the Common-wealth, and therefore *Justice* is compar'd

to a *torrent*, or *mighty ſtream*, both in regard its conſtant ſwift *motion* prevents all *corruption*, and its *force* and *fierceneſs* carries away the deſigns and *Machinations* of the *mighty* to their own confuſion.

If in this relation I have diſcovered the *byaſſed* actions of any man, who by his *Intereſt* and *power* thinks to *elude* the *inquiſition* of his *injuſtice* and *oppreſſion*, I conceive my ~~life~~ Self to have done as much as if I had deſtroy'd a fatal *monſter*, or defeated in the field, an open enemy to the *publick*. What ever I have done I humbly ſubmit my ſelf to the judgement of this Honourable Aſſembly: If I have deſerved the ſentence of the Committee for plundered *Miniſters*, I ſhall as willingly imbrace the confirmation of it, as I hope a ſpeedy redreſs if I have not. What ever become of me, ſince I can ſuffer no greater things then I have already long ſince endured for your cauſe, I ſhall as zealouſly and as heartily for the future ſpend my ſelf in the advancement of this Commonwealth as I have already, either by Sea or Land, as providence ſhall be pleaſed to diſpoſe of

Right Honourable.

Your moſt Faithfull, moſt Humble and moſt devote Servant.

WILL. KNIGHT.

To the Supream Authority the
PARLIAMNT
Of the Common-Wealth of ENGLAND.

The humble Petition of *William Knight*, late Miniſter of *Whitbey* in the County of *York*.

Humbly ſheweth,

THat your Petitioner having officiated in the Town of Whitbey as Lecturer for the ſpace of two years, in the year 1649. the Inhabitants drew up a Petition to the Committee for plundered Miniſters for his ſettlement among them as their Miniſter.

That your Petitioner having delayed the obtaining of the ſubſcriptions of the neighbouring Miniſters, (which he was told was neceſſary) till the day that the ſhip he did imbarque in for London was to ſet ſail, he was perſwaded by one *Mr.* Lovingſtone and *Mr.* Young, (whoſe free ſubſcriptions he had already gained) to make uſe (in that extremity) of the hands of one *Mr.* Hicks, and one *Mr.* Buſhel, to a Certificate of his Abilities and good converſation, they being ſuch as would not have denied him the right hand of fellowſhip; which preſumption he acquainted them with, by a Letter wherein was incloſed a Copy of the Certificate, and was owned by the ſaid *Mr.* Hicks.

That being come to London, in regard of his unacquaintance with the proceedings of the Committee for plundred Miniſters, he imployed one Wilſon for the procuring of an order of ſettlement, which within ſome weeks he brought him.

That being returned with this order he officiated quietly till Sept. following, at which time by an order from the Committee for plundred Miniſters directed, to the Committee at York he was ſent for thither and charged with the forgery of the ſaid order and ſent to priſon, whence after a fortnights ſtay he was tranſlated to the Committee for plundred Miniſters, to anſwer what ſhould be laid to his charge as to that order; where he pleading that he had imployed one Wilſon in the procuring of it, but not producing the ſaid Wilſon, and for that he was alſo charged with the preſumption of the foreſaid Certificate by one Conyers and *Mr.* Adoniram Byfield he was taken into cuſtody, where he continued a moneth till the Committee, ſenſible of his weakneſs and ſurpriſal in the one, and ſatisfied of his innocenty in the other, ordered him to be ſet at Liberty.

That being at Liberty he went Miniſter in the Ship, whereof Capt. Bodelay was Captain and continued in that ſervice 12 moneths.

That at his return hearing that the ſaid Wilſon was for ſome notorious crimes in New-gate, and that Whitbey had all the time of his abſence been utterly unſupplied, he was deſired to apply himſelf afreſh to the Committee, which he did bringing the acknowledgement of the ſaid Wilſon, and producing other Certificates, as alſo a new Petition from the Inhabitants of Whitbey, whereupon he was by an Order of Decemb. 11. 1650. fully ſetled in the place.

Yet ſo it is, Right Honourable, that notwithſtanding all theſe proceedings in July laſt, there were Articles exhibited againſt him at the Committee for plundred Miniſters, four whereof relate to the foreſaid Certificate and forged Order, and an 8. charges him with drunkenneſs, libelling, &c. by means whereof he was ſequeſtred on the 28 day of December laſt.

Now in regard the Committee had formerly clear'd your Petitioner, both as to the Certificate and Order aforeſaid, by their Order of December 11. 1650. And that the witneſſes againſt him to the 8. Art. are all prophane perſons and of evil converſation, and known Malignants, and by a Malignant deſign ſuborned againſt him, and their informations utterly falſe, as he can make appear.

He humbly prayes ſince he is not of the meaneſt of thoſe that have appeared to reſcue this Nation from unjuſt and uſurping powers, that your Honours would not ſuffer him to be unjuſtly cruſh'd by the malicious deſigns of potent enemies, but grant him that countenance and redreſs, which you in your High wiſdoms ſhall think the juſtice of his cauſe may deſerve.

And he ſhall (as in duty bound ever pray) &c.

The

The CASE and VINDICATION Of WILLIAM KNIGHT,

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WHen I consider the carriage of my life, even from the first dawnings of reason and consideration, that every man ought to have of the end he is to aim at in this World. I cannot but observe how that *Providence*, which disposeth every man to be an instrument of *good* or *evil*, according to its *decrees*, hath carried me on in all my actions, to indeavour the promotion of the *publick good*, before any *private interest* of mine own.

And this I must acknowledge was that, that made me at once forsake my friends aud Countrey, and insensibly drew me on to be one of the earliest ingagers in that cause, which for its enemy had an usurping power in Church and State. Wherein I can give no greater evidence of my forwardness than my Personal ingaging in fifteen Battels and Skirmishes in *England* and *Ireland*, not to mention my sufferings otherwise, and particularly, my inprisonment at *Durham* and *York*, by the late Kings forces, where after the Torment of 24 hours *Neck* and *Heels*, I remained without any allow-

allowance near four moneths, and of 200 *Engliſh* and *Scots* priſoners, was one of the laſt exchang'd.

However, I continued in my fidelity and ſervice to the Parliament, till the beginning of the year 1645. when it pleaſed *that ſpirit which bloweth where it liſteth* to call me to the exerciſe of thoſe gifts, which my engagement in the Wars had ſomewhat ſmothered; and that this alſo was the work of the ſame *providence* I canno t doubt, when I conſider it happened in ſuch parts of *York-ſhire*, as had not yet ſhaken off the darkneſs and implicity of *Epiſcopal* times, and obſerve the ſucceſs it pleaſed God to grant my teachings and inſtructions, to the advancement of piety, and his Goſpel.

In this imployment I ſpent my ſelf till the year 1647. at which time God put it into the hearts of the Inhabitants of *Whitbey*, to deſire my removeal from the part where I then exerciſed to come among them, whither, to ſatisfie the importunity of the well-affected of that place, I conſented to come, and there I officiated as Lecturer (onely on Wedneſdays) till 1649. requiring nothing towards my ſubſiſtance but the free Contributions of the well-affected, while one Mr. *Wood* (formerly ſequeſtred for his miſdemeanours and malignancy) intruded into the office of preaching on the Lords days.

Theſe things being obſerved by one Mr. *Richard Conyers*, he by the ſtrength of his friends and intereſt in the Pariſh obtains admittance to officiate there, till ſome one were lawfully ſettled in the place, not doubting to receive the profits thereof for the time he ſhould continue ſo doing.

But the ſaid *Conyers* having at no great diſtance a benefice of 100 Marks *per ann.* and not able to diſcharge himſelf of both, he deſired my aſſiſtance at *Whitbey*, ſo far onely as to preach the morning Sermon, he himſelf being oblig'd to preach in the afternoon, promiſing me, before divers of the Pariſh for my ſaid aſſiſtance, the ſum of 24 *lib.* by the year, whereto I conſented, as being not yet publickly called to the Miniſtry, and living on the private allowances of the well-affected, whoſe intreaties had brought me thither.

But ſo far was the ſaid *Conyers* from performing either part of the

the Covenant betwixt us, that as to the former, I muſt confeſs, he obſerved it for about three moneths, but for the remainder of the year, he hardly appeared on the place; And for the latter I had fair words, but not one peny ſatisfaction to this day.

Theſe crooked dealings of the ſaid *Conyers* moved the inhabitants of *Whitbey*, to draw up a Petition to the Committee for *plundred Miniſters* for my ſetlement among them. Having the Petition of the Town and Pariſh put into my hands, I was told that there was requiſite withall a Certificate from ſome neighbouring Miniſters to teſtifie my abilities and good converſation. Now it happened through my little acquaintance in affairs of this nature, that I had delayed my applications to the neighbouring Miniſters of my acquaintance till the day of my departure; which being to be by Sea, and that the ſhip wherein I was to embark was to ſet ſayl the ſame day, I was perſwaded by Mr. *Levingſtone* & Mr. *Young*, (whoſe ſubſcriptions I had then obtained) to make uſe, in this extremity, of the hands of one Mr. *Hicks* and one Mr. *Buſhel*, which upon confidence of their condeſcention I conſented ſhould be done, and accordingly Mr. *Young* put down their hands to the Certificate, while I writt a Letter to each of them, wherein was incloſed a Copy of the Certificate to acquaint them what I had done. VVhich preſumption of mine Mr. *Hicks* owned ſince by a Letter to me, and acknowledged this my confidence of his frindſhip as a favour, before Mr. *Luke Robinſon*, and Mr. *Thornton* at *Pickering*, and for Mr. *Buſhell*, though I muſt confeſs I received nothing from him in return to my Letter, yet I believe he had not diſavow'd it, had he not been ſurpriſed in the buſineſs by the ſaid *Conyers*.

Being come to *London*, I was no ſooner lodged, but one Mr. *Wilſon* having heard ſomething of the occaſion of my coming up, ſent for me, pretending great readineſs to further my buſineſs. And to perſwade me how effectual his aſſiſtance might be to me, he pretended to be a conſtant Sollicitour at the Committee for *plundred Miniſters*, and no leſs than Coſin to Mr. *Gilbert Millington* the *then* perpetual *Chair-man* there. By which pretences, my weakneſs and ignorance of the affairs of the ſaid Committee being wrought upon and overcome, I delivered him what papers and inſtructions

I conceived requiſite for obtaining an Order of ſetlement at *Whitbey*, having upon his undertaking of my buſineſs given him towards Clarks Fees, and other expences as he pretended was neceſſary 2 *lib.* 10 *s.* and left order for the payment of 7 *lib.* more when the order was taken out, for his Sollicitation therein.

Having thus referred my buſineſs to the ſaid *Wilſon*, I appeared not my ſelf in it, and ſo within a ſhort time he brought me the order and received the ſaid ſum of 7 *lib.* By virtue of the ſaid Order, I officiated at *Whitbey* till *September* following, about which time, by an order of the Committee for *plundred Miniſters*, directed to the Committee at *York*, I was ſent for thither, where appearing, I was charged with the forgery of the foreſaid Order, but having no other plea then that I knew nothing but that it was a true order, and that in the procuring of it I had imployed the Sollicitation of one *Wilſon* (though *Colonel Fairfax*, one of the Committee upon ſight of it affirmed that he had ſeen many Orders in that hand before.) I was committed to *York* priſon, where having remained ſome time, I deſired to be tranſlated to *London*, to anſwer what might be laid to my charge in that particular, which, having put in good ſecurity for my appearance before the Committee for *plundred Miniſters*, with much ado, I obtained.

Appearing before the ſaid Committee, I was afreſh charged with the forgery of the ſaid Order, to which my anſwer being the ſame as before, and that I could not produce the ſaid *Wilſon*, I was ordered into cuſtody. Now it happened ſo that the aforeſaid *Conyers* (a man of a very inquiſitive, and active malice againſt me, for what reaſons I know not) having by ſome means or other fiſhed out, that Mr. *Hicks*, and Mr. *Buſhell's* hands were onely by preſumption at my Certificate (as I have before acknowledged) takes a journey to *London*, and brings it at the ſame time upon the ſtage before the Committee, which aggravating what was laid to my charge before, (for which I am obliged *beſides* Mr. *Conyers to* Mr. *Adoniram Byfield*) rendered me the more criminal in the ſence of the Committee, ſo that upon the charge both of the Order and Certificate I continued in cuſtody the ſpace of a moneth or better, till at laſt the Committee conſidering my weakneſs and ſurpriſal in the one, and having ſome perſwaſion of my

my innocency in the other, ordered me to be ſet at Liberty.

But I cannot omit the advantage the ſaid *Conyers* made of all this. During my reſtraint he Petitions the Committee for the profits of the year 1649. (but 60 *lib.*) wherein I had born all the burden, but what is before mentioned, and for which by his own agreement I was to receive 24 *lib.* VVhat he deſired was accordingly granted; but as for the Petition he brought up to the Committee upon that occaſion, as from the Town of *Whitbey*, I muſt confeſs I am much diſſatisfied, it being ſubſcribed by onely ſome nine or ten Malignants; and a greater miracle to me yet, was, to conceive how the *Town-ſeal* came to be at it, having, upon a ſtrict inquiry, never yet met with any one of the Town that was privy thereto, it being a thing not granted, but on occaſions that concern the whole Town, and that at a full convention of the 24 Burgeſſes.

But he was not content with the obtaining of the profits as aforeſaid, though undeſervedly, but to take a full and final revenge of me, I do much ſuſpect he *indented* with Mr. *Phelpes*, that the order for my Liberty ſhould be ſo drawn up, as that I was to be bound in 300 *lib.* never to preach at *Whitbey* more; theſe being courteſies which Mr. *Phelpes* can do with a *wet finger*, though contrary to the ſence of the Committee, when he hath a minde to pleaſure a friend, and to draw a FULL order.

But having obtained my Liberty without ſubmiſſion to this order, I had not been many days abroad, but Captain *Bodelay* being deſigned for *Lisbone* to reduce the ſhips there under P. *Rupert*, ſent for me, and propoſed to me the Chaplain-ſhip of the ſhip he then went in (the *Happy Enterance,*) which out of the zeal I ever had to ſerve the publick, and to give way to the ſtorm of my misfortunes, I accepted of. And in that ſervice (wherein we met with three very hot ingagements) I ſpent a whole year till the ſaid ſhip returned.

Being come aſhore at *Detford*, I came up to *London*, where I underſtood that *Whitbey* had all that time been unſupplied of a Miniſter. But here I muſt take notice of a remarkable tract of providence. The foreſaid *Wilſon*, who had betrayed me into all my calamities, was by an Order of the *Councel* of *State*, for ſome noto-

rious crimes, committed to *New-Gate*. Underſtanding of his being there I applied my ſelf afreſh to the Committee, producing an acknowledgement from the ſaid *Wilſon* of my innocency as to the forgery of the Order. Nay, he ſo far cleared me of the leaſt concurrence thereto, that with many imprecations he avowched the ſame to be a real Order, ſaying, that if he were brought before the Committee, he was confident Mr. *Millington* would not deny the Order, which aſſertion I gave the greater credit to, for that ſome of *Whitbey* had told me, that they, out of a particular deſire to be ſatisfied in that point, had, upon ſearch, found that very Order entered into ſome of the Clarks books about *Weſtminſter*, which if ſo, I may ſay that it is not impoſſible that Clarks may as well ſtifle Orders at their pleaſure, as deprave the ſence of the Committee, according as the parties ſhall ſacrifice.

This acknowledgement being acccepted by the Committee, I produced this following Certificate.

March 27. 1650.

We whoſe names are hereunto ſubſcribed, being neighbouring Miniſters to the Town of Whitbey, *in the County of* York, *do certifie to all whom it may concern, that* Mr. William Knight, *late Miniſter of that Town was a man of honeſt life and godly converſation, and as befitted a Miniſter of the Goſpel, behaved himſelf in a way of labouriouſneſs, and ſound preaching while he aboad there, that we were very ready to give him the right hand of fellowſhip, and imbrace him as a fellow-labourer in the* Lords *Vine-yard, and in our apprehenſions he did much good by his Miniſtery, while he was there, and is much wanted now he is abſent, and would be gladly received, and might do much good for the future if he may be permitted to return to the ſaid Town. Given under our hands the day and year above written.*

William Simpſon Clark.
George Emot Miniſter
of *Glaiſdale*.

This Certificate from the foreſaid Miniſters was back'd with this teſtimonial from Mr. *Slater*, and Mr. *Kemiſh*.

Decem-

December 11. 1650.

These are to certifie whom it may concern that the bearer hereof Mr. William Knight *is a man of whose abilities in preaching we have had good experience, and do conceive him to be sound in Doctrine and sincere in life and conversation, and likely to prove an usefull instrument to promote the glorie of God, and the good of Souls. In witness whereof we have hereunto set our hands.*

Sam. Slater. } *Ministers of* Ca-
Rich. Kentish. } therin's *London.*

But further to inform the Committee how I had spent my self since I had last appeared before them as a Criminel, I produced this Certificate from Captain *Bodelay*.

These are to certifie whomsoever it may concern, that the bearer hereof Mr. William Knight *went forth with me on my last expedition in the* States *ship, called the* Happy Enterance, *and continued with me about twelve moneths the term of the voyage, in which time his deportment and behaviour was civil, and according to his profession, and also that he was industrious to preach the Word among us whensoever opportunity presented.*

Dated near *London*, the 11. of *December* 1650. Ric. Bodelay.

But these Certificates were not yet sufficient, wherefore I was, for further Trial, referr'd to the examination of a Committee of the *Assembly* of *Divines*, who sent me back with this Certificate.

December 12. 1650.

According to an Order dated the 11 *of* December 1650. *from the Committee of the* Parliament *of* England *for plundred* Ministers, *to the Committee of the* Assembly *of* Divines, *for examination of* Will. Knight, *to officiate the cure of the Church of* Whitbey *in the County of* York. *These are to certifie the said Committee for plundred* Ministers, *that upon examination of the said Mr.* Knight, *and some Trial of his gifts and abilities in the Ministry, we conceive him to be*

fit to officiate the cure aforesaid. In witness whereof, we hereunto subscribed our names.

VVill. Carter. John Dela March.
VVill. Reyner. Tho. Carter.
Richard Byfield.

These *Certificates* and *Testimonials* being considered, and the acknowledgement of the said *Wilson* accepted, as also a Petition from the inhabitants of *Whitbey*, read, produced the following Order for my settlement, whereby I conceive my self cleared of all things formerly laid to my charge, and least the malice of my enemies might bring any thing in judgement against me afterward, it was moved by that publick spirited Patriot Mr. *Luke Robinson*, that they might be quoted in the Order.

At the Committee for plundred Ministers, December 11. 1650.

Whereas this Committee have the 18 *of* October 1649. *committed* VVilliam Knight, *Minister of the Word, to the custody of the Serjeant at Arms attending the* Parliament, *for forging an Order of this Committee for setling him in the Church of* VVhitbey, *in the County of* York, *which the said* Knight *alleadgeth was given him by one* John VVilson, *but did not then produce the said* VVilson, *and it is now informed that the said* VVilson *is committed to* New-gate *for several notorious crimes, and that the said* VVilson *doth not deny, but that he gave the said Order to the said Mr.* Knight; *It is therefore ordered upon the Humble Petition of the Inhabitants of* VVhitbey *aforesaid, that the said* VVilliam Knight, *of whose piety and pastoral abilities this Committee hath received good testimony, do forthwith officiate the cure of the said Church of* VVhitbey *as Vicar, and preach diligently to the Parishioners there, and that he shall have for his pains therein the Vicarage house and Glebelands, and all the Tithes Rents, Duties, and Profits whatsoever of the said Vicarage, till further Order shall be taken in the premisses, and all person and persons are required quietly to permit the said Mr.* Knight *to officiate the said cure, and to enter, possess, and injoy the said House and Glebelands, and to have, receive, and take to his own use all the Tithes, Rents, Duties, and pro-*

profits whatſoever of the ſaid Vicarage, as they will anſwer the contrary at their peril.

Gilbert Millington.

VVith the foregoing Order I returned to *Whitbey*, where I had not long reſted ere the ſpirit of envy entered the ſaid *Conyers*, to make complaint to the Committee for plundered *Miniſters* of my inſufficiency, which procured an Order for another examination of me to be made by ſome neighbouring *Miniſters*, but becauſe it was by a ſubſequent Order diſcharged, without any thing done, I have the leſs to ſay to it.

Yet with this could I not be quiet, but ſuch was the deſire of my ruine in the ſaid *Conyers*, and ſome others, that notwithſtanding what had paſt, in *July* laſt, there were Articles exhibited againſt me at the Committee for plundred *Miniſters*, ſubſcribed by *Rich. Conyers*; to which, it was referr'd to three Juſtices in the Countrey, to examine, and croſs-examin VVitneſſes.

The Articles are too long, and too many to be inſerted in this place, but what partiality was uſed againſt me at the examination taken at *Whitbey*, as alſo what hath been the iſſue of their return hither (though it be that which put me upon this extraordinary way of vindicating my ſelf) I ſhall as briefly as I can lay down, and ſhew, through the whole carriage of this buſineſs, how oppreſſive the intereſt of (not long ſince profeſſed) Malignants may be to any honeſt man, though never ſo innocent, but more eſpecially when they are ſo fortunate in their inſinuations as to corrupt thoſe, who moſt immediately derive their Authority from the Parliament, and execute their malice on the well-affected by *their* hands that ſhould protect them.

The firſt thing I ſhall note is the ſubtilty of my proſecutours in the choice of the Juſtices examinants, wherein I am particularly obliged to the induſtry of Sir *Hugh Cholmeley*, whom I have juſt reaſon to think the firſt wheel of this malicious proſecution againſt me, and to have ſet all the reſt in motion, upon what grounds I ſhall in fit place mention.

One was Sir *William Strickland*, *but* a Brother in Law to the foreſaid Sir *Hugh*. A ſecond was *Chriſtopher Percehay* Eſquire, brother

ther in Law to Sir *William*, the third *Henry Hall* Esq; whom I must confess to have brought much indifferency to the discussion of the business.

Secondly, I expected the Justices should not have been courted at so great a distance; as Sir *William Strickland*, who lives 24 *Yorkshire* miles from *Whitbey*; Mr. *Percehay* 19. and Mr. *Hall* 26. there being three, or more Justices within 14 miles of the place.

Thirdly, as to the VVitnesses against me, I expected they should have been such as lived within a proportionate distance, as being the more competent informers as to matter of fact, and such as had known my conversation; and made a conscience of their actions; But I found some faces I knew not, Malignants, Servants, or in some way Relatives to the Family of the *Cholmleys*. But I shall not Charactarize them till I come to the 8 Article, to which they most spoke.

Fourthly, I looked for an equal freedom to produce VVitnesses for me, as well as my prosecutours had to produce against me. All that they brought, though many of them *precarious*, and such as I shall hereafter describe them, were freely received, upon bare assertions; whereas of 40 that were come to the place on my behalf, though honest men, and such as proffered their informations upon Oath, there were admitted but 7 to testifie.

Lastly, I could expect no less than a true return of the examination, but there I am also deceived; For I finde many things passed at *Whitbey* omitted, and some things sent up under my name as confessed by me, which I never affirmed.

The examination thus returned being to be debated on Thursday *Decemb.* 23. it so hapned that upon reading what was said to the 8 Art. I found (the more to surprise me in my defence as I conceive) that the Copy of the examination taken from Mr. *Phelpes*, wanted the informations to the 8 Art. all save one. Upon which it was moved, that I might have a true Copy of the examination, and that the debate might be referr'd to another day, which was to be the Thursday following.

I must confess, when I first understood that Mr. *Millington* was in the Chair, I promised my self the greater Justice, because he was the best acquainted with the business, I was now the *third time*

to

to be charged with,& might have remembred my ſufferings at *York* and *London*, and the Committees acquital of me by the forementioned Order of *Decemb.* 11. 1650. ſubſcribed *Gilbert Millington*. But ſhould I have wanted that expectation, yet I flattered my ſelf with the hopes of a patient and unprejudiced debate. But here alſo I reckoned before my Hoſt. For upon the firſt calling of the cauſe Mr. *Millington* burſts forth into his ordinary laughter, and ſays, *O this is my Coſin*, a poſture certainly not ſo becoming a Judge, when the thing in debate concerns the lively-hood of a man and his relations. But by thoſe words I conceive he was well acquainted with the buſineſs to be debated, and had not forgotten Mr. *Wilſon*. Nor can I omit a ſtrange expreſſion of his the Thurſday before, when it was ſaid that Mr. *Luke Robinſon*, and the well-affected of the County appeared for me, and that I had a Petition ſubſcribed by 140 of the beſt affected of *Whitbey*, Mr. *Millington* anſwered; *He may be the greater Knave for that.* And when the ſaid Petition was again offered to the Committee by certain Maſters of ſhips of *Whitbey*, Mr. *Millington* asked them, *what will you make him worſe than he is*; Which expreſſions ſpeak no ſmall prejudice in him againſt me, and argue a ſtrange forgetfulneſs of what had paſt under his own hand concerning me before. I may add to this the ſhortneſs of the debate, which not laſting a quarter of an hour was for the moſt part laugh'd out,& abruptly cut off with Mr. *Millingtons* WITHDRAVV, the Committee having heard all that could be ſaid againſt me, but very little of what was to be ſaid for me. I do not ſay but Mr. *Millington* in others mens caſes may be ſtraight and unbyaſſed, but for my part I have juſt reaſon to fear my caſe was (in effect) judged before it was debated, and that I came up 200 miles, not to be heard, but to receive my doom.

And now I come to the Articles, which are in number 10. I ſhall pitch onely on thoſe to which informations are given, and they are in a manner but two of the number, the 2 and the 8. The 2 concerns the forging of Mr. *Hicks*, and Mr. *Buſhels* hands to a Certificate, to which I can make no other anſwer then what I have ſaid pag. 3. which I think is ſufficient. Upon the charge of the Order pretended to be forged by *Wilſon*, and that Certificate I ſuffered impriſonment at *York* and *London*, and conceive

my ſelf acquitted by the aforeſaid Order of *Decemb.* 11. 1650. Unleſs a man may be charged a new for an offence he hath once ſuffered for. And here I am to take notice of an *Affidavit* of the ſaid *Conyers*, made before a Maſter of the *Chancery* to that purpoſe, *viz.* That Mr. *Hicks*, Mr. *Buſhel*, Mr. *Bradley had diſavow'd to the ſaid* Conyers, *the giving of their hands to one* William Knight *of* Whitbey, *and that therefore his making uſe of the ſaid hands to a Certificate was forgery in the ſaid* Knight. To which I anſwer, that as for Mr. *Hicks*, and Mr. *Buſhel*, I have already cleared up how it was, but as for M. *Bradleys* hand it was not at all at it, and he himſelf being at the examination at *Whitbey*, teſtified that he had never ſpoken with the ſaid *Conyers* about any ſuch Certificate. Therefore to requit him for his *Affidavit*, I ſay, that *whereas* Rich. Conyers *maketh Oath that Mr.* Bradley *diſavow'd a thing to him, whereof he had never any diſcourſe with him, but ſweareth it to be ſo upon other mens relations, the ſame is perjury in the ſaid* Conyers. And this perjury of his I muſt confeſs indeed, was ſo much obſerved at the examination that the Juſtices ſhook their heads at it, and utterly diſmiſſed the *Affidavit*, yet by ſome means or other I finde it ſhuffled into the examination returned.

To make this *Affidavit* authentick, there ſtands up a *Letter-carrier*, alias an *Attturney*, who affirmed the ſubſcription of the *Affidavit* to be *Conyer's* own hand, and the Maſter of *Chancery's* to be his hand, and of another thing ſubſcribed by *John Phelpes*, affirms that to be the *proper* hand of the ſaid *John Phelpes*; in all which there is no great miracle, for the man hath of a long time been ſo well acquainted with other mens hands, and their ſeals too, that ſome body did penance for it with a piece of white paper on *Whitbey*-croſs.

The heavieſt charge againſt me, is what is ſaid to the 8 Article, which at firſt ſight ſeems to be very horrid. The words are. *That he is a notorious drunkard, a Libeller, a perſecuter of the growing light, and very deficient both in Morals and Intellectuals.*

And to this Article there ſpeaks firſt one *Thomas Redhead* of *Stantondale*, who ſays he ſaw me drunk about ſix or ſeven years ſince (where he hath forgotten) to omit that he ſpeaks at ſix and ſeven; thus much I muſt ſay of him, that he was ever a very zealous Ma-

Malignant, a creature of Sir *Hugh's*, and brought him conſtant intelligence when he kept *Harborough* for the late King; as for the Teſtimony, it is abſolutely falſe.

A ſecond is one *Robert Dove* of *Newton*, who ſayes he ſaw me drunk about five years ſince. This is a Souldier under Sir *Hugh* for the King, a prophane idle perſon, and a falſe witneſs, and this is he, ſpeaks to libelling, *viz.* that I ſhould write theſe words in a Bible.

John Neſs *is an honeſt man*,
And ſo is John Swayles,
And all the reſt of the Town
Are pudding-belly'd Carles.

VVhich is equally true with the former.

A third, is one *John King* of *Newton*, another of Sir *Hugh's* Malignant Souldiers, a drunken licentious perſon, and therefore fit to make a falſe witneſs.

The fourth is *John Brignel* of *Lamyſton*, in the County of *Durham*, one I had never ſeen his face before the examination at *Whitbey*, and this man makes me drunk at *Scarborough*, and to make his information ſeem more authentick, he ſayes it was the 10 of *Novemb.* 1651. and that I made great remembrances of one widdow *Stevenſon*, to omit that he was a Captain, (forſooth) in the *Kings Army*, and very famous for his plundering of the well-affected of *Biſhoprick*, I anſwer to the Teſtimony that I was not that whole VVinter at *Scarborough*, and for widdow *Stevenſon*, I am yet to learn whether there be any ſuch woman in the world. This man for old acquaintance ſake was often intertained at Sir *Hugh's*, about the time of examination, which certainly he the more deſerved that he would take the pains to come near 50 miles to bear falſe witneſs to do him a courteſie.

The next is *Rob. Hickſon* of *Sunderland*, in *Biſhoprick*, an Officer alſo as the former and his co-plunderer, and one famous for his fornications, *&c.* in *Holland*, and is come as far as the former, and to break the ninth Commandment.

The next is *Marmaduke Newton* of *Whitbey*, who taxes me about four years ſince for reeling as I went into a boat at *London*.

This is a Tenant of Sir *Hugh's*, and therefore more easily drawn on to bely his conscience and bear false witness against his neighbour. But was not this man, who by saying a few words, did preserve the favour of Sir *Hugh*, and got a Cow's summer grass into the bargain, wiser in his generation, than another Tenant of Sir *Hugh's*, who for refusing to subscribe a Petition against Mr. *Knight* was within an hour after warned out of his house and farm?

The last is *Thom. Hodgson* of *Sneton*, who sayes the same thing as the former, about five years since; Though they speak both of the same time, yet their Testimonies agree within a year. But for the latter; to omit a double desertion of the Parliaments forces, he is one so leavened against the present Government that his ordinary profession is, *That he had rather serve the* Turk *than the* Parliament.

There was another witness against me, touching the point of drunkenness, though not returned in the examination. And that is one *William Wiggoner*. Though I cannot say this man did any thing out of any affection to Sir *Hugh Cholmeley*, who being for the Parl. had sent him prisoner to *Hull*, for having with his son *Bagwith* brought over Arms out of *Holland*, for the use of the late King. Yet his relation of Father-law to *Conyers* may excuse him for being a little *cheuril* conscienc'd. But the reason why his Testimony is concealed I conceive is, that, as he is himself a very *habitual* drunkard, so that very time he taxed me to have been *drunk*, he himself was so *frolick*, that as he sate at the Table he fell backwards and broke his head. For his Testimony to the 4 Art. It is true, onely he hath mistaken a year or two.

Here are *eight*, and 'tis great pity they could not make up *twelve*, and so have made a *Jury*, they are such *good men* and *true*, and I think as well *cull'd*. Of this number there are but two of *Whitbey*, and what they are I have also expressed; But certainly had I been guilty of any inclination that way, the experience of almost 6 years could not but have furnished enemies to observe it. But it seems those who knew my conversation could charge me with no such thing, and therefore persons of *lew'd lives*, *disaffected*, and *necessitous* Souldiers of the *Kings Army*, and such as I had never seen their *faces*, must be *pick'd* even out of other Counties to inform

against

againſt me. But alas! they were ſuch honeſt men at the examination at *Whitbey*, that when I deſired ſome of them might inform upon Oath, it was refuſed as a thing contrary to the rules of the Committee, and when I deſired to ſpeak what I could alleadge againſt them at the debate here, all ſuch motions were confuted with a *withdraw*, the informations and Articles *laugh'd at*, and taken as granted. But though I whom it moſt concerned, could not be permitted to ſpeak much in my own caſe, yet I could perceive Mr. *Phelpes* had a *liberty* to *aggravate*, and *ſuggeſt*, for which I muſt ſay black to his *tongue*, ſince Mr. *Millington* ſayes he is ſuch an honeſt man, as *no man can ſay black to his eye*. But for this I muſt excuſe him ſince it was but gratitude to carry on their deſigns whoſe free-will-offerings to him had been greater then mine. And that this is no ſlight ſuſpition, let a diſcovery of Mr. *Conyers* ſpeak, who acquaints his Father-in-law *Wiggoner* in a letter dated from *London* in 1649. that his proſecution of me had *then* coſt him above 100 *lib.* (beſides the 60 *lib.* he did *emungere* the Committee of for his non-reſidence in 1649. which if ſo, I onely make this queſtion whether this man would not rather ſpend a *noble* to deſtroy the Goſpel then *nine pence* to promote it. But what ſhall I ſay then, who, by reaſon of the troubles he hath created me, have ſpent the like ſum in the *neceſſary* expences of *journeys* of 200 miles, *inpriſonments* and *attendance*, when I have received for all my officiating at *Whitbey* from 1647. but one 50 *lib.*

And now I think I have made good what I promiſed, as to the witneſſes againſt me, and yet done them no injury in the leaſt. Yet by theſe and ſuch like Teſtimonies, though taken, as I ſaid before, without any atteſtation of Almighty God (which many times ſtrikes terrour into the moſt impenitent heart) was I on the 28 of *Decemb.* laſt *ſequeſtred* of all I could pretend to at *Whitbey*, wherein how fully the malice of my enemies hath been ſatisfied, and with what precipitation the buſineſs was carried againſt me may be ſoon judged by the peruſal of this relation, in which I have neither added nor dimiſhed, either to advantage my ſelf, or wrong my proſecutours.

As for the VVitneſſes produced for me, it will not be amiſs to let the world know what they are, leaſt my enemies might ſay I

had as bad on my side. The first is *John Newton* of *Whitbey* Gent. a person whose activity and fidelity to the State had recommended him to the trust of a *Sequestratour*, an honest conscientious man, and stedfast to the interest of the Common-wealth in the most relapsing times.

William Jackson of *Whitbey* an honest godly man, and Lieutenant at Sea, under Captain *Lawson*.

Hen. Noble of *Whitbey* once Head-Constable, and one hath been much persecuted by Sir *Hugh Cholmeley* for his not contributing to the Kings forces.

Rob. Bushel of *Whitbey*, a knowing and religious man, and a suffering friend to the State.

Hen. Awlder of *Whitbey*, a man of great reputation for his godliness, and his early appearances for the Parliament in those parts.

Hen. Linlay Gent. Collectour of the Customes at *Whitbey*, a constant well-willer to the State, and a great enemy to all vice and licentiousness.

These with divers more, to the number of near 40 men of honest lives and conversation, would have vindicated me as to the 8. and other Articles, had they been admitted to testifie; whereas had my prosecutours produced twice the number, they should not have been refused.

Thus having shewn what the VVitnesses on both sides were, I am now to express what discoveries I have of Sir *Hugh Cholmeley's* being in the *head* of this *prosecution*.

Having as I said before *prick'd* down the Justices, the first thing I observed, was, his sending for divers of the inhabitants, desiring them to be present at the examination to testifie what they could against me; but it happening they were such as would not, to gratifie any man, bely their consciences, he dismissed them with threatning intreaties that they should say nothing for me.

A second thing was that which is related in answer to the Testimony of *Marmaduke Nuton*, pag. 13.

A third was the intertainment of two of the Justices, *viz.* Sir *William*, and Mr. *Percehay*, and most of the VVitnesses against me, before and after the examination, but especially that night, when he caused all to be *drawn up*, and to his own house, what *intertainments*,

ments, congratulations, acclamations, and *Triumphs* inſued, the inhabitants of *Whitbey* are not ignorant.

But you will ſay what *ends* had Sir *Hugh* in all this? VVhy ſhould he be at the expence of bringing VVitneſſes 40 and 50 miles? Theſe queſtions I confeſs may very well be made, for certainly it cannot be ſuppoſed he ſhould put himſelf to all this trouble (beſides a chargeable ſollicitation at *London*) to caſt out a poor man, which being a ſtranger to him could never have ſo far diſobliged him, out of a living of 60 *lib.* a year. Therefore to anſwer the queſtion more fully I muſt put the Ax to the root of the Tree, and diſcover ſomewhat, which, though it be well known to many, is not to all, and among them, it may be, not to thoſe whom it moſt concerns.

You are then to note that there lived once at *Whitbey*, one Mr. *Jacob Hodgſon*, who being of the moſt forwardly affected for the Parliament commanded in the Town of *Whitbey*, this man Sir *Hugh Cholmeley*, after his baſe deſertion from the Parliaments cauſe ever looked on as a thorn in his ſides, for maintaining the Town of *Whitbey*, for the uſe of the Parliament. Such a burden I ſay was he to Sir *Hugh*, that he became immediatly a perſecutour of him, and all that related to him, nay, the Town and Countrey thereabout ſuffered for his ſake. This Tyranny he exerciſed not onely while he commanded the Countrey about, but eſpecially upon the taking of *Whitbey* by his forces, turning the aforeſaid *Hodgſon's* VVife out of doors, deſtroying all he had, and threatning that if ſhe went not to *Hull* after her Husband, ſhe ſhould be tied to Horſe tails with other Maſters wives. But now I ſpeak of the taking of that Town, I cannot but quote a *famous exploit* of the aforeſaid *Conyers*. This *Conyers* being at that time in the Town ſeemed to be very much for the Parliament, willing to oppoſe Sir *Hughs* forces, but pretending withall to be a perſon of ſome conduct, this Mr. *Hodgſon* intruſted him with the *Abbey*, which he promiſed to make good with the number of men allowed him. In the mean time Letters were ſent to Sir *Hugh* to advance with his forces at ſuch a time, and that this *Conyers* was privy to the deſign may be judg'd by this adventure. The night that Sir *Hugh* was to come on, inſtead of acquainting his men with the danger

danger of the enemies advance, to make them more ſecure, he ſends up to the *Abbey* a Barrel or two of ſtrong Beer; wherewith having laid ſome aſleep and made the reſt ſecure, he valiantly comes down the Hill alone into the Town, leaving both *men* and *place* to the mercy of the *Enemy*; And this courteſie I conceive is that which had ſo much ingratiated him with Sir *Hugh*, that there was no perſon thought fitter to *manage* my *ruine*, as being one more apt to *deſtroy* a *Citizen* then an enemy. But I return again to Sir *Hugh*. Now it pleaſed God to take away this Mr. *Hodgſon*, in a Tempeſt upon the Coaſt of *Holland*, which accident laid his wife, and others related to him, more open to Sir *Hugh's* perſecutions, and that this train of malice is laid againſt me upon theſe old ſcores, I need not much labour to make appear, for *Hodgſon* being dead, my ſad fortune was to have married his VViddow, who being before the mark of Sir *Hugh's* malice, brought me into his diſfavour ſo much the more, as appears by an expreſſion of Mr. *Conyers* after my ſequeſtration, who ſaid that my *Wife had brought me to all this calamity*. To this I may add that the yearly *Stipend* of *Whitbey*, as alſo the *Augmentation* being to be paid by Sir *Hugh*, as being the *impropriatour*, it concerned him ſomewhat, there ſhould be ſuch a Miniſter as would ſuffer his allowance to be carved out to him as he pleaſed, which had I been content with, Sir *Hugh* might have been my very good friend to this day.

But (to give the Devil his due as the Proverb ſpeaks) I muſt here confeſs, that Sir *Hugh* is guilty of ſome Juſtice, though he will have it acknowledged as a *favour*, and meaſure it by his *will*. For about *June* laſt, he imployed his ſon Mr. *Hugh Cholmeley* to compound with me for my Arrears, for which he profered me 112 *lib.* which being not half of what, by ſeveral Orders, both of the Committee for *plundered Miniſters*, and of the *Truſtees* for *maintenance* of *Miniſters*, was due to me I was adviſed to refuſe. And this refuſal (though juſt) hath coſt me all the trouble, expence, and inconveniences I have been at ſince, and conſequently of the preſent ſequeſtration I ly under. But that wherein I am to juſtifie Sir *Hugh's* proceedings in, is this, that he in *June* laſt, would willingly have taken up all differences and accounts with the *foreſaid* ſum, whereas after my ſequeſtration, when I applied

my

my ſelf to the *Truſtees* for my Arrears, they found them to amount but to 60 *lib.* (which yet I cannot receive) as appears by their Order of *Jan.* 12. laſt, as if my ſequeſtration had made me incapable of what was due to me for my former officiating.

But alas! he that knew Sir *Hugh* before, will not wonder at theſe tranſactions. He that before walk'd by no other principles than thoſe of his *will*, ſhould he ſtartle at an action which he could juſtifie by his *power*? The ſtory of one *Thompſon*, nicknamed *Beef*, is not yet forgotten at *Whitbey*, one hang'd up in *cold bloud* by Sir *Hugh's* Command, without any advice of Officers. 'Tis true, the man had ſerved under Sir *Hugh*, when he was for the Parliament; but when he became an *Apoſtate* he left him and liſted himſelf under Col. *Bointon*, for which *Crime* Sir *Hugh* having now taken him a Priſoner, diſpatches him. If there be *holes* in the *Act* of *Oblivion* to let *leſſer fiſh* eſcape, I hope there is none big enough for this *Leviathan* of *Whitbey*; For I ſee no reaſon but inquiſition may be made for this bloud.

And now I have done with Sir *Hugh*, having made good what I had promiſed in the former part of this relation, and ſhewn by what *means* and *inſtruments*, and upon what *crimes* and *miſdemeanours* my *ſequeſtration* hath been brought about.

That which I beg of this Honourable Aſſembly, is to conſider with what a ſtrong hand this *deſign* hath been carried on, both here and at *Whitbey*; and thence obſerve how dangerous it is to ſuffer private Gentlemen to be *Baſhaws* in their Countrey, and do things upon the bare ſcore of their power and intereſt, and upon confidence that thoſe whom they oppreſs, are unable to call them to account, or if they are, that things will be ſo diſguiſed by falſe repreſentations that the weaker will be ſtill over-ruled.

And this brings me to conſider that there is a *dormant* humour of *Malignancy*, which upon opportunity *awakens* to the perſecution of *honeſt* men, which what it cannot do (as formerly) by a *profeſſed* hoſtility, it does by *ruſes* and *ſupplantations*; wherein good men are the further from redreſs, by how much they are *cruſhed* by their hands and Authority, who are intruſted to *protect* them.

They are the *minings* and inſinuations of theſe men that depraving

praving Courts and Committees ſecretly perſecute the honeſt, and well-affected of the Land, who now are they that moſt cry out of oppreſſion. Theſe are they that make *ſecret* wounds in the Common-wealth, and inſenſibly bring an *Odium* on your Government, while they make the World believe that you are fallen from thoſe Principles of Reformation & protection of honeſt men, which you profeſſed before, even to the cutting off of that head which was the great *anvile* of all *malicious* and *oppreſſive* deſigns.

By theſe minings am I wrought out of my *profeſſion*, rendered incapable of doing that *good* which I have devoted my ſelf unto, and made a ſpectacle of Miſery and Calamity to honeſt men, and of ſcorn to the plotters of my ruine. And in this condition muſt I ſtill remain, unleſs your Honours taking the buſineſs into your cognizance, and conſidering, and weighing both my offence and puniſhment, order me that redreſs which you in your high Wiſdoms ſhall think meet, which, if I may obtain, I doubt not of the concurrence of all honeſt men to bleſs God with me for your Juſtice, in *breaking* the *deſigns* of *unrighteous* and *powerfull*, and *countenancing* thoſe, who though *poor* and *obſcure*, deſire to do *good* and *to live quietly in the Land.*

Eccleſiaſtes 41. *So I returned and conſidered all the* oppreſſions *that are wrought under the Sun, and behold the tears of the* oppreſſed, *and they had no* Comforter, *and on the ſide of the* oppreſſours *there was power, but* they *had no* Comforter.

Iſai 5.7. *And he looked for* Judgement, *but behold* oppreſſion, *and for* righteouſneſs, *but behold a cry.*

Pſalm 12.5. *For the* oppreſſion *of the* poor, *for the ſighing of the needy, now will I ariſe ſaith the Lord, I will ſet him in ſafety from him that puffeth at him.*

Poſt-

Poſt-ſcript.

HAving given your Honours a faithfull account of the *deſign* of my *Sequeſtration* at the Committee for *plundered Miniſters*, I am now to preſume to add ſomewhat touching my ſucceſs at the *Truſtees* for *maintenance* of *Miniſters*, to whom, in purſuance of the Orders of the former, I was to addreſs my ſelf for the *Arrears* of my officiating at *Whitbey*, having received but one 50 *lib.* from the beginning of 1647. to the 28 of *Dec.* 1652. and herein I propoſed to my ſelf the leſs difficulty, becauſe it is a thing granted out of courſe to any *Sequeſtred* man, but how far I come ſhort I ſhall briefly ſhew.

The Committee for *plundered Miniſters* having as is before mentioned fully ſettled me at *Whitbey* by their Order of *Dec.* 11. 1650. thought fit, though I had officiated there onely as *Lecturer*, before that I ſhould be conſidered, and hereupon granted me the following Order.

At the Committee for plundred Miniſters *April* 30. 1651.

VVhereas Mr. *William Knight* is ſetled by Order of this Committee of the 11. of *December* in the Church of *Whitbey*, in the County of *York*, It is ordered that the ſaid Mr. *Knight* ſhall have all Arrears of the Tithes and profits of the ſaid Church, which fell and became due and payable for ſuch time as he officiated the cure of the ſaid Church, either *before*, or *ſince* his *ſetlement* there by Order of this Committee.

William Haye.

VVith this, and other Orders, one I had imployed here to that purpoſe, applied himſelf to the *Truſtees* for maintenance of

of Miniſters, but for the ſpace of a whole year, all applications and attendance were fruitleſs, ſo that I was forced to importune the Committee to confirm and aſſert their former Orders, who thereupon iſſued this Order.

By the Committee for plundered Miniſters, *April* 30. 1652.

VVhereas this Committee the 16 of *October* 1647. granted fifty pounds a year reſerved to the *Biſhop* of *York*, out of the Impropriate Rectory of *Whitbey*, in the County of *York*, to and for increaſe of the maintenance of the Miniſter of the Pariſh-Church of *Whitbey* aforeſaid, to comence from the 20 of *May* 1646. It is therefore Ordered that the *Truſtees* for ſale of *Biſhops Lands* do and they are required to iſſue their Warrant to the Treaſurers for ſale of *Biſhops Lands* to pay unto Mr. *William Knight*; Miniſter of *Whitbey* aforeſaid, or unto Mr. *Humphry Hatward* to his uſe the ſum of one hundred pounds for two years rent, of the premiſſes ending the five and twentieth day of *March* 1648.

James Aſhe. *Tho. Liſter.*
N. Lechmore. *Peter Temple.*

I ſhall need quote but theſe two, to ſhew what is my due, though I have had Order upon Order, to the number of 16. or 17. from the Committee for *plundred Miniſters*, the Committee for *Regulating* the *Univerſities* and the *Truſtees*, which with the attendance and trouble to procure them, I dare affirm have coſt me almoſt as much as I have gotten in purſuance of them.

But as for my *obſtruction* at the *Truſtees* I muſt attribute it to the ſame *deſign* & *intereſt* of the *Cholmeleyes*, who here alſo *with reaſon* were to expect the *aſſured* favours of that *plural Clark* M. *Phelpes*. VVhen I demanded my right at *Whitbey*, I was anſwered, that the money was payed into the Treaſury; when I inquired there, the anſwer was, it was not returned. And with theſe put offs both here and in the Countrey was I forced with my relations to be burthenſome to friends, in hopes that one day (though with much trouble and ſuffering in the mean time) I ſhould receive the *utmoſt farthing*. And now that I thought the malice of my enemies

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ſatisfied with my *Sequeſtration*, and that I was to apply my ſelf to the *Truſtees* I hoped *the day* was come. The accounts ſtand thus; For two years augmentation, which is 100 *lib.* and for three years ſtipend, which amounts to 30 *lib.* I am by the Committees Orders directed to *Gurney* houſe.

For the year 1649. Mr. *Conyers* ſurpriſed the Committee, and during my reſtraint at *London*, got the profits thereof, though I had ſolely officiated ~~the third part~~ of it. *vid.* pag. 5. *three quarters*

So that I am to receive of the *Truſtees* for *maintenance* of *Miniſters*, for the years 1650. 1651. 1652. which amounts to 180 *lib.* whereof there being 50 received, there remains 130. And ſo much I without any diſpute expected, but I found their reckoning far otherwiſe. For being after a long attendance at the door called in, I was told, by Sir *John Thorowgood*, that upon adjuſting of all accounts and a calculation of the time I had been ſetled, *viz.* from *December* 11. 1650. they found there was no more due to me then 60 *lib.* for which if I pleaſed I might have an Order, to anſwer, which, I produced the Orders of the Committee for 1650. before I was ſetled. To take away with anſwer and at once confute all Orders, and further replies; *Zealous* Sir *John* returned ſomewhat to this effect, Mr. Knight *we are more carefull of you then you your ſelf, but there are many other poor* Miniſters *to be ſupplied: I do not think the Committee for* plundred Miniſters *intend any Arrears before ſetlement to a Miniſter, whom they have found cauſe to Sequeſter.* By this it appears Sir *John* is not meanly furniſhed with *Evaſions* (though but ſlight ones, when he hath a minde to do a buſineſs. But as for the *poor Miniſters* he objects to me, I think *hee is a poor Miniſter* that is forced to live 5 or 6 years upon one 50 *lib.* But another thing that fell from him was as remarkable when it was conſidered whence I ſhould receive this 60 *lib.* which was my due, he ſaid of Mr. *Harward* Receiver in *York-ſhire*, wherein whether Sir *John* dealt ingeniouſly let this Order (poſted up at *Whitbey*, by the *Cholmleyes*) ſpeak.

By the *Truſtees* for Maintenance of Miniſters *Octob.* 6. 1652.

VVilliam Cholmeley Eſq; *Tenant of the appropriate Rectory of* Whitbey, *in the County of* York, *hath exhibited his accounts of the Rent of the ſaid Rectory, due from the firſt of* Decemb. 1641. *to the*

ninth of Octob. 1646. *and from the ninth of* Jan. 1649. *to the first of* Octob. *instant, upon examining and stating whereof it appears to the* Trustees, *that sixty seven pounds thirteen shillings four pence was in Arrear the* 29 *of* Sept. *last, of the Rent due to the said* Trustees *for the said years, which said sixty seven pounds thirteen shillings four pence he hath since payed into the Treasury, as by the Treasurers acquittances appears, it is therefore Ordered that Mr.* Humphrey Harward *receiver do forthwith discharge the said Rectory, and Tythes and profits thereof, of and from any Seizure by him the said Mr.* Harward *made for default of paiment of his Rent as aforesaid, and to deliver unto him whatsoever goods, or Cattels of the said Mr.* Cholmeleyes, *he hath distrained for the said Mr.* Cholmeleys *detainer of the said Rent; and to the end, the said Mr.* Cholmeley *may not in time to come receive any just discouragement in paiment of his Rent, the said Mr.* Harward *hereby is further appointed in all fair and due ways to assist the said Mr.* Cholmeley, *in his quiet injoyment of the said Rectory and profits thereof, according to his Lease in that behalf, and the said Parishioners of the said Parish of* Whitbey *aforesaid, are from time to time to pay unto the said Mr.* Cholmeley *all Tythes due from them unto him in right of the said Rectory, as also all Arrers of Tythes by them any way kept or detained by virtue of any inhibition, or stop made of them by any Order, or direction from the said* Trustees, *or of the said Mr.* Harward *receiver by his or their appointment.*

Vera Copia.

But that not taking, the Order was to be directed to Mr. *Steel*, to which a stander by, saying, that Mr. *Steel* had no such moneys in his hands, & that therefore all addresses there were vain, Mr. *Phelpes conscious it seems of somewhat replied, it may be 'tis thought the* Trustees, *or the* Clark *have the money*; wherein he was in the right, yet the Order was directed to Mr. *Steel*, of my applications to whom I am now to give an account.

The first time I went to him, all the answer I could get was that he would speak with the *Trustees* about it, whereby I conceive he was somewhat surpriz'd with the Order, which required him to pay the moneys he had never received.

The next time he told me that he was to be accountable to me for that money, but withall disavowed the receiving of any, though he had

had given Mr. *Cholmeley* an acquittance for it, and all the comfort I had from him was, that as ſoon as any money came in I ſhould be conſidered, but when that ſhould be, he knew not.

Here is a ſtrange *ſhuffling* of men's affairs. Sir *John Thorowgood* would turn me over to *Harward*, though by the foregoing Order utterly diſcharged of the buſineſs. But that I conceive was onely to remove me 200 miles hence. That not taking I am directed to Mr. *Steel*, who diſavows the receit of the money, though he had given *Cholmeley* an acquittance for it. *Cholmeley* in the mean time poſts up the Order of the *Truſtees* that he ſatisfied the *Treaſury*, though while he was tranſacting this buſineſs here, there was no admittance for any that I imployed, either to ſee Orders or know what was done. Mr. *Steels* man ſayes this was the firſt acquittance ever granted without money received. Mr. *Phelpes* doubts the *Truſtees*, or the *Clark* have the money. The *Truſtees* wave that and ſend me where I am not like to have any.

What a *conſpiracy* of *Intrigues* is here to turn me from *poſt* to *pillar* to no purpoſe? Thus am I put to a fruitleſs, though no ſmall expence for Orders; to a chargeable, yet endleſs attendance, whereof the iſſue muſt be to be laught out of my ſubſiſtance, and *cut out* for miſery with thoſe that depend on me. Well MALIGNANCY! *Thou* ſhalt be the *Childe of this generation*; *Thou* art ſo *wiſe*, ſo *provident*, ſo *cautious*, that thy *deſigns* are ſo far from preventing, that they are hard to be diſcovered when they have wrought their effect. *Thou* needeſt not grieve thy *excluſion* from *places* of *truſt*, ſince, as the *Roman* ſaid of Gold, that it was better be maſters of thoſe that have it, then poſſeſs the Gold it ſelf; ſo maiſt *thou* ſay. That to be able to *inſinuate* into, and *corrupt* thoſe in places of truſt is *equivalent* to having their places. If thou *direct* the ſword of Juſtice to *ſtrike*, it matters not who *holds* it.

Right Honourable, and righteous *Judges of the Land*, I beſeech you judge between me, and my adverſaries in this caſe. Have you erected *Committees*, have you appointed *Truſtees* for the *Protection*, or for the *oppreſſion* of *honeſt men*? Do theſe men anſwer your expectations of them, who inſtead of *relieving* the *Godly* and *well-affected*, *cruſh* and *diſhearten* them to gratifie the *ſupplanting* enemy? I am *diſcharged* my *profeſſion* rendred *unſerviceable* to that *deſign* of *providence*, which I had with a ſincere and upright heart ſubmit-

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ted unto, and at once made an uſeleſs Member of the *Common-wealth*, and with my Wife and 4 Children expoſed to miſery and want, and that which adds to the burden of my affliction is to conſider, by what means and inſtruments my ruine is brought about. For whereſoever I turn my ſelf whether to *Committees*, *Truſtees*, *Treaſurers*, nay, when I have to do but with *Clarks* (thoſe Pernicious *earwigs*) I finde them prepoſſeſſed by the ſelf-ſame intereſt, and all my hopes *defeated* with *delays* and *eluſions*, which puts me in minde of the words of *David* to the Woman of *Tekoah*, *Hath not the hand of* Joab *been with thee in all this?* I make not my *ſervices* and *ſufferings* for the *intereſt* of the *Common-wealth*, a ground to deſire any thing of your Honours; all that I beg is out of my right to Juſtice, what I deſire more let it be refuſed, and the preſumption puniſh'd. I muſt confeſs I am a man of a low and quiet ſpirit, and thence it may be thought that the compaſſing of my ruine is not ſo great a miracle. But I fear me, if inquiſition were made, there would be found many inſtances of perſons more active and better acquainted with the affairs of the Committees, and the world, that have complaints in their boſoms againſt the *exorbitancy* and *Tyranny* of *mercenary Clarks*, and others, who being too *familiar* with perſons in Authority, *divert* them from the *relief* of *honeſt men*, and *work* them *inſenſibly* to *gratifie* thoſe whoſe very *acquaintance* not long ſince was a *contagion*. I ſhall make an *end* though my heart be *full*, beſeeching your Honours to conſider the ſad condition I am brought into, by the crooked dealings of ſome men; wherein all that I beg is JUSTICE.

Febr. 12. $165\frac{2}{3}$.

Micah. 7. 8,9,10. *Rejoyce not againſt me, O mine enemy, when I* fall *I ſhall ariſe, when I ſit in* darkneſs, *the Lord ſhall be a* light *unto me.*

I will bear the indignation *of the Lord, becauſe I have* ſinned *againſt him, untill he plead my* cauſe, *and execute* Judgement *for me, he will bring me forth to the light, and I ſhall behold his* Righteouſneſs.

Then they which be mine enemies ſhall ſee it, and ſhame ſhall cover them which ſaid unto me, where is the Lord thy God? mine eys ſhall behold them, and now ſhall they be troden down as the mire of the ſtreets.

FINIS.

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